



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION

SA16-250

SUPPLEMENTAL REPORT

CASE NAME: MIGEUL SILICEO & [REDACTED]

CLASSIFICATION: OFFICER MISCONDUCT

TYPE: TRANSCRIPT OF BODY WORN CAMERA – OFFICER [REDACTED]

AGENCY: FULLERTON POLICE DEPARTMENT

On July 9, 2016 at approximately 0224 hours, Fullerton Police Officer [REDACTED] activated his Body Worn Camera in the area of 100 West Amerige Avenue, Fullerton. He recorded part of the incident involving Fullerton Police Officers MIGUEL SILICEO and [REDACTED]

[REDACTED] The following is a transcript of the video entitled 148:

RE: SILICEO & [REDACTED]

SA 16-250

SUBJECT: TRANSCRIPT - BODY WORN CAMERA – 148-[REDACTED]
[REDACTED] – Police Officer, Fullerton PD

PRESENT: VICTOR SERRANO

ALSO PRESENT: LUIS DIAZ

ALSO PRESENT: [REDACTED] – Police Officer, Fullerton PD

ALSO PRESENT: MIGUEL SILICEO – Police Officer, Fullerton PD

ALSO PRESENT: MICHAEL BOVA – Police Corporal, Fullerton PD

ALSO PRESENT: DAVID BECERRA – Police Corporal, Fullerton PD

ALSO PRESENT: EDWARD LEMOINE – Police Officer, Fullerton PD

DATE: 07-09-2015 02:24:06 hours to 02:50:24 hours

LOCATION: 100 WEST AMERIGE AVENUE, FULLERTON

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stan Berry

Date of Report: 08/09/2016

Date: 08/18/2016

LEGEND: ... Denotes pauses between words or phrases, incomplete sentences, Stammering, etc. (Does not indicate missing words).
 *** Denotes unintelligible conversation.
 (Sic) Denotes precisely reproduced word.

(AUDIO BEGAN 30 SECONDS AFTER VIDEO)

█: Someone will go to jail ***...

DIAZ: Wa...wa...wait, wait wait, wait.

*** (UNINTELLIGIBLE AUDIO)

DIAZ: Oh my God.

*** (UNINTELLIGIBLE AUDIO)

█ Hey, you can walk to our jail and go to jail for drunk in public. Keep on talking.

UNK SUBJECT: *** fool, fuck.

UNK SUBJECT: *** Uber.

█ Keep on talking.

*** (UNINTELLIGIBLE AUDIO)

UNK OFFICER: Hey, CARY, CARY, CARY...

DIAZ: *** what the fuck am I doing?

DIAZ: I need to talk to this guy right here.

█ You just talked your friend into going to jail, how about that bud? Hey, why don't you put your hands behind your back, dude?

SERRANO: Me?

█ Yeah, you're drunk in public.

SERRANO: Why me?

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

Wait, wait, wait...

SERRANO: Why me? Why me?

Whoa, whoa ***

SERRANO: We were walking over there waiting for a ...

UNK SUBJECT: Hey, come on man.

SILICEO: Outta here. (SILICEO PUSHES DIAZ). Get out of here.

UNK OFFICER: Shut the fuck up...

SILICEO: He's under arrest. You're going to jail now. Get out of here or you're going to jail too. Get out or you're going to jail too.

: Interlace your fingers. Interlace your fingers.

DIAZ: Dude, you can't just push us like that.

UNK SUBJECT: Yeah, you can't push us. That's racist.

Racist?

SERRANO: No we're not, we're getting a ride home ***

*** (UNINTELLIGIBLE AUDIO)

DIAZ: We're fucking walking away.

Nothing to do with racist.

SERRANO: *** Why are you putting *** why are you putting me in handcuffs?

*** (UNINTELLIGIBLE AUDIO)

'Cause you got a big mouth.

BECERRA: Listen to your friends.

UNK SUBJECT: Hey, don't do nothing... ***

SERRANO: I didn't do anything ***

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stan Berry

Date of Report: 08/09/2016

Date: 08/18/2016

(SERRANO LED TO POLICE CAR IN HANDCUFFS).

*** (UNINTELLIGIBLE AUDIO)

UNK FEMALE: Fuck that. I love my tacos.

██████: Go.

SERRANO: *** I didn't even say anything, bro. I didn't even say anything.

██████: *** you're going to talk crap?

SERRANO: I didn't even say anything. I didn't even say anything, bro....

██████: Oh really? Now you're gonna apologize? Now you're going to apologize?

SERRANO: Wait, I'm not apologizing ***

██████: ***

SERRANO: I'm not ***

██████: You're going to jail, that's it.

SERRANO: I'm not apologizing to you.

██████: I know you're not.

SERRANO: 'Cause I didn't do anything...

██████: And now you're going to jail.

SERRANO: 'Cause I didn't do anything.

██████: Now you're going to jail like a man.

SERRANO: I didn't do anything.

██████: Now you're going to jail. Now you're going to jail like a man.

SERRANO: *** I didn't do anything, I was walking away.

██████: Really? It was on video, dude. Get in.

SERRANO: ***

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stan Berry

Date of Report: 08/09/2016

Date: 08/18/2016

██████: Now you can go to court.

*** (UNINTELLIGIBLE AUDIO)

██████: There you go. There you go. Keep talking shit.

SERRANO: ***

(SERRANO PLACED IN POLICE CAR).

*** (UNINTELLIGIBLE AUDIO)

LEMOINE: *** sit down.

DIAZ: ***

LEMOINE: *** Go park your ass on the curb. *** Go sit down.

DIAZ: Uber is going to pick us up right here.

LEMOINE: Sit down.

DIAZ: What about my brother?

LEMOINE: If I see you get up and walk over there you're going to jail. Do you understand?

DIAZ: For what? For what?

LEMOINE: Do you understand?

DIAZ: What did I do?

LEMOINE: Drunk in public.

DIAZ: Dude. For what?

UNK SUBJECT: We didn't even do anything though.

DIAZ: I'm not even moving from here.

UNK SUBJECT: His brother didn't do anything though.

DIAZ: Go ahead and touch me. Go ahead and fucking, fucking touch me. Dude,

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

my brother did not do anything. You know what? Hey dude, that's not even fucking fair. My brother did not do anything.

(UNINTELLIGIBLE CONVERSATION)

LEMOINE: Sit down.

DIAZ: Alright, I'm gonna sit down, but my brother did not do anything.

UNK SUBJECT: *** we were leaving. *** come back over here.

DIAZ: You guys fucking touched my brother for no reason.

UNK SUBJECT: Yeah, but why are you arresting him and not him?

DIAZ: *** right now.

*** drunk.

DIAZ: Hey dude, hey, these guys... ***

UNK SUBJECT: We're all drunk. There's no point in that ***

*** (UNINTELLIGIBLE AUDIO)

Start walking or you're going to go to jail too.

UNK SUBJECT: Why are you arresting him? No one's talking anything.

Start finding a cab or ride or you're going to go to jail too.

*** (UNINTELLIGIBLE AUDIO)

DIAZ: No, Uber's gonna pick us up right here.

Tell him to go over there.

DIAZ: No, he said right here and I'm gonna stay right here.

UNK SUBJECT: All we need is our friend ***

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

██████: I'm telling you to leave.

DIAZ: No, Uber's gonna come and pick us, pick me up right now.

██████: Okay. Okay.

UNK SUBJECT: *** why are you arresting him?

██████: Start walking over there.

DIAZ: No, Uber said right here.

██████: I don't care what Uber said.

DIAZ: Do not move, he told me not to move and I'm not gonna move. Bro...

UNK SUBJECT: ***

██████: I'm telling you to leave now. Otherwise you're going to jail. I'm giving you a lawful order to leave now.

DIAZ: Why?

██████: Okay, it's on camera.

UNK SUBJECT: ***

DIAZ: Alright, go for it, go for it. I got you *** go for it *** Alright, I will go to jail ***

UNK SUBJECT: *** Come on man. *** Come on guys.

(DIAZ PLACED IN HANDCUFFS).

*** (UNINTELLIGIBLE AUDIO)

DIAZ: I'm not...I'm not even moving, bro. Uber, Uber, badge is recording.

*** (UNINTELLIGIBLE AUDIO)

██████: Now you're going too.

DIAZ: ***Alright. ***

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date:08/18/2016

DIAZ: Hey bro...alright, do what you gotta do, bro. Alright.

█: We told you guys to leave.

DIAZ: Alright.

█: Several times...

DIAZ: Uber got...

█: ...and you continue to walk backwards and open your mouth, so you're going to go to jail.

DIAZ: For what?

█: For drunk in public.

DIAZ: Alright.

█: Okay?

DIAZ: Alright.

█: Because sober people wouldn't do what you were doing.

DIAZ: Alright?

█: Leaning on the truck talking crap to us.

DIAZ: *** cool ***

█: Right? Am I right?

DIAZ: I'm not gonna say nothing. I got nothing to say.

█: Okay, alright. So, the sooner you cooperate, the faster you can get out.

Do you understand that?

DIAZ: Alright. Yeah, I understand that.

█: Okay.

DIAZ: ***

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Beny

Date of Report: 08/09/2016

Date: 08/18/2016

*** (UNINTELLIGIBLE AUDIO)

██████:

Watch your...

(DIAZ PLACED IN POLICE CAR).

DIAZ:

I got this audio recording too.

██████:

*** Okay, that's fine.

DIAZ:

Oh my God. So, you are going to take my phone too?

██████:

Yeah, I'm patting you down for safety.

DIAZ:

Look...look at this guy. He's going to take my phone. Ah, dude, so, so embarrassing, bro. For reals. Cuz, I cannot... I cannot even understand your English Officer ██████. For reals.

██████:

Okay, well I am speaking English. ***

DIAZ:

Your English is so foul, bro.

██████:

Okay. I got him.

BECERRA:

Did Sonny take the other one?

(██████ ENTERED THE POLICE CAR).

██████:

Delta Three.

DISPATCH:

Delta.

BECERRA:

Hold on a sec.

DISPATCH:

Delta Three.

BECERRA:

You'll be out in like six hours if you ***

██████:

I'm going to have... I have one in custody for "F".

DIAZ:

You know, bro. You know what? You know what?

BECERRA:

You'll be out in six hours if you be cool. I'm letting you know.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stan Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: Yeah ***

DISPATCH: Delta Three, what's your 10-20?

BECERRA: I'm just saying. It's not for me, not for me.

DIAZ: *** No but why are you guys, why are you guys ***

██████: 100 West Amerige.

DIAZ: *** No but why are you guys fucking ***

██████: 124, 339 and 129 are with me.

DIAZ: Drunk in public, bro.

DISPATCH: 10-4. Is this the same call that 322 is on?

██████: Affirm.

DISPATCH: The same in custody or the second in custody?

██████: Second.

DISPATCH: 10-4.

(BEEPING)

DIAZ: ***

██████: Delta Three, 10-19.

DISPATCH: 10-4.

(BEEPING)

██████: What's your last name, sir?

DIAZ: S-E-R-R-A-N-O.

██████: I'm sorry, S-E-R...?

DIAZ: Yeah, A, R-R-A-N-O.

██████: SERRANO?

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: Yeah.

█: First name?

DIAZ: A-B-E-L-L.

█: A-B...?

DIAZ: A-B-E...

█: Abel?

DIAZ: ***

UNK FPD RADIO: 93K, 961.

DISPATCH: 93K.

█: What's your date of birth, sir?

DIAZ: 06-16-81.

UNK FPD RADIO: 6 Xray, Uniform, Tango, 930.

█: What's your address?

UNK FPD RADIO: *** south of the 91.

DIAZ: 1914...

█: Uh-huh.

DIAZ: ...South Hickory.

█: Okay.

DISPATCH: 93K, 10-4.

█: What city?

DIAZ: Street.

█: What city?

DIAZ: Santa Ana, 92707.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

██████: Cell phone number?

DIAZ: ██████

██████: Um-hmm.

DIAZ: ██████████

DISPATCH: 93K.

██████: I don't understand, bud.

DIAZ: Huh?

██████: Why are you so calm now?

DIAZ: No, it's 'cause, you know what? You guys aren't, cuz you guys are not...no, I'm not, I'm not gonna, I'm not get in an argument with you guys, man. Honestly...

██████: No, I'm, I'm not arguing with you. I'm just asking you...

DIAZ: Alright.

██████: ...if you would have left, it would've been done, okay?

DIAZ: No, but you know what?

██████: From the get...hold on...

DIAZ: You guys are, you guys are just nitpicking everything, bro.

██████: Okay, Mr. SERRANO...

DIAZ: *** yeah.

██████: Okay, when you and your brother were standing there was...

DIAZ: My brother was fine.

██████: ...was your brother not making comments?

DIAZ: My brother was ordering food before you guys came and like I saw you

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

guys. Honestly...

██████: What, okay...

DIAZ: I'm not gonna get on a ***

██████: Okay. No, I'm, I'm not arguing with you, I'm just asking you...

DIAZ: Alright, you know what? It's too old, bro. You know what I'm saying?

██████: Okay.

DIAZ: There is cameras out there and there is things that we gotta talk about. 'Cause you know what? I did not...okay whatever. If I call you guys an asshole, you guys gotta take it, you're gonna take it like, oh let's, let's these guys are done. So whatever, you know?

██████: ***

DIAZ: I will go to court, I will lose my job for this shit. 'Cause you know what?

██████: Okay. Do you have a driver's license?

DIAZ: Yeah, absolutely.

██████: Which, is it...

DIAZ: I don't have it with me.

██████: No, no, okay. Do you know your driver's license number?

DIAZ: No I don't.

██████: Okay.

DIAZ: Honestly, I don't bro.

██████: You don't know or you don't, um...?

DIAZ: I don't, I don't know, I don't ***

██████: Okay, you don't know your driver's license number?

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stan Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: I don't. By heart, no I don't.

█: Okay, okay. And your first name on your driver's license, your first name is Abel?

DIAZ: No, it's Luis.

█: Oh Luis. L-O-U-I-S.

DIAZ: Yeah Abel.

█: Uh-huh.

DIAZ: And then Serrano. My last name, bro.

█: So L-O-U-I-S ***

DIAZ: *** you know what? You guys had nothing better to do, bro.

█: Okay. What's your date of birth again?

DIAZ: █.

█: Okay.

(PAUSES)

DIAZ: It's not fair, bro. It really is not fair, bro. It's not. It's not, bro. I don't know what we did to make you guys fucking act like fucking robocops, bro. 'Cause there's ***

█: Okay, we asked you guys to leave.

DIAZ: Huh?

█: We asked you guys to leave.

DIAZ: Dude, there's guys that are getting shot right now and you guys are fucking standing in the, fucking in front of fucking a taco truck, fucking acting like robocops.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Bery

Date of Report: 08/09/2016

Date: 08/18/2016

[REDACTED]: Okay, let me ask you, okay?

DIAZ: Yeah.

[REDACTED]: When you...

DIAZ: No, it's not fair, bro. It's not, no, I don't give a fuck.

[REDACTED]: Okay, no, no, no. Mr. Serrano...

DIAZ: What?

[REDACTED]: Let me ask you, when you work, right, do you get a lunch break?

DIAZ: Bro, I do so much work ***

[REDACTED]: No, I'm asking you do you get a lunch break?

DIAZ: Yeah.

[REDACTED]: So are we not entitled to eat?

DIAZ: Yeah. Am I, hey, am I entitled to fucking stand and do what I gotta have to do?

[REDACTED]: Well...

DIAZ: Why the fuck are you locking me up for running my mouth?

[REDACTED]: Because you're drunk in public.

DIAZ: Alright, go ahead.

[REDACTED]: So is your first name L-U-I-S?

DIAZ: Yeah. ***

[REDACTED]: And your middle name is A-B-E-L?

DIAZ: Yes.

[REDACTED]: And last name is SERRANO?

DIAZ: Yes, yeah.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

██████: You don't know...hm, your date of birth is 06-16-81?

DIAZ: Yes sir.

██████: It's not coming up.

DIAZ: It's not fair, bro, it is really, it's not fair. There's other guys there that are fucking, they're really fucking doing fucking drugs, they're fucking...

██████: Do you go by a different last name?

DIAZ: No I don't, bro. This is, this is, this is who I am.

██████: Alright.

DIAZ: Bro, it's not fair, bro. Like, there's guys that are fucking really doing fucking drugs. They're fucking doing everything that you fucking explained to me right now and you're fucking locking a guy that fucking went out to a fucking, my little brother's birthday party and *** you know what I'm saying?

██████: ***

DIAZ: It's not fair, bro. It really is not but I'm not gonna fight with you, bro, I'm not.

██████: Nobody's fighting with you.

DIAZ: I'm saying, 'cause if it was, if we, if you and I had to get down, bro, you have no idea, bro. I wish we could fucking get locked up in a *** right now.

██████: Hey LINDA, its ██████. How are you? Is that a threat, sir? 'Cause I could charge you with that too.

DIAZ: No, no, I'm just saying, like what did I do?

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

██████: You know, I'm gonna add that charge, sir, 'cause you're threatening me, right?

DIAZ: No, 'cause what did I do to fucking be locked up?

██████: Okay. Um, I got one in custody for, uh, F. Uh, last of Serrano, S-E-R-R-A-N-O. First of Luis, L-U-I-S. Date of birth is ██████. Uh, LKA Santa Ana, off of Hickory. Uh, Misty, and it's gonna be 44269. P number 1341.

DISPATCH: Do you have their ID?

██████: No, he doesn't have it on him.

DISPATCH: Okay.

██████: Thank you.

DISPATCH: Thank you.

██████: Bye. So were you, I'm sorry, were you threatening me again, sir?

DIAZ: Nah bro, I'm not threatening you, I'm just saying like what did I do to get here?

██████: I told you, drunk in public.

DIAZ: Alright then. It's not fair, bro. There's too many fucking hypes and drug addicts on the street and you're gonna, you're gonna, you're gonna take me in right now for drunk in public, bro? You must not be doing your job, bro, honestly. There's guys that are doing drugs right now on the street right now and you cannot catch 'em or you can't see 'em. But you're gonna get a guy that fucking has a regular job, makes more money than you actually, bro. Honestly...

██████: Okay. How tall are you, sir?

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stan Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: Huh?

[REDACTED]: How tall are you?

DIAZ: 5'7" bro.

[REDACTED]: How much you weigh?

DIAZ: Like 165, maybe 170. And I make 100,000 dollars a year, how about that?

[REDACTED]: More than your ass, homie.

[REDACTED]: Okay. I'm not your homie, sir.

DIAZ: Shit. You make fucking 65,000 a year. Embarrassing bro. Over here trying to act like a fucking Robocop. ***

[REDACTED]: Are you right-handed or left-handed, sir?

DIAZ: Yeah, you don't even act, you don't even speak Sp-, fucking English.

[REDACTED]: Okay.

DIAZ: ***

[REDACTED]: That'll all be documented in the report.

DIAZ: Yeah go for it, bro. Fucking whack ass Vietnamese motherfucker. That's, yeah...fucking can't even speak English. That's what I have to say.

[REDACTED]: Are you right-handed or left-handed, sir?

DIAZ: I'm fucking right and left-handed, what's up with that?

[REDACTED]: Okay. Do you know what that's called?

DIAZ: Yeah, in your fucking ass, homie.

[REDACTED]: Okay.

DIAZ: That's what I got to say. It's embarrassing, bro. You think you have authority. Fuck that. In Vietnam, you motherfuckers ain't nothing,

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

Nguyen motherfucker. Shit. Go ahead and touch me motherfucker.

Yeah, let me lock you up. That's all you got to say, huh? Yup. Do what you gotta do there cool guy. 'Cause I'm a drunk in public. 'Cause I'll tell you the truth. Fuck, there's guys right now that are stabbing themselves, gangbanging, and you're locking a guy up that has a real job that makes more than your ass, has more fucking money than your ass, makes more money than your ass a year, and you're gonna fuck with me man? Get the fuck outta here.

██████: Do you go by a different name 'cause, uh, if I, if I...

DIAZ: Huh?

██████: ... I don't have it, then they're gonna keep you here until it comes back from Sacramento.

DIAZ: Dude...

██████: Do you have a, you don't have any ID on you?

DIAZ: I thought you fucking took my fucking, fucking, dude um ***

██████: No, your wallet's in your pocket.

DIAZ: Huh?

██████: Your wallet's in your pocket. All I have is your phone. Do you have ID or ***

DIAZ: My name is Luis Abel Serrano Diaz.

██████: Oh, okay. Do you go by Diaz for your last name maybe?

DIAZ: I don't.

██████: Okay.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Ston Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: But that's how you fucking dumbass motherfuckers go by.

█: Okay.

DIAZ: You guys fucking are ignorant motherfuckers.

█: Uh-huh.

(BEEPING)

DIAZ: You guys are ignorant ***. See really, I thought, I had a lot *** with you motherfuckers *** for reals. You got a fucking dumbass Vietnamese motherfucker that can't even speak English. Too embarrassing, man.
Too embarrassing.

DISPATCH: 93K***

DIAZ: That's not me. And I got to take a piss. 'Cause I don't do, dude, I have no fucking, dude, I don't do anything bad, bro. I have a real job. I pay my shit. ***

█: You want to step out, sir?

(DIAZ REMOVED FROM POLICE CAR AT THE JAIL).

DIAZ: I don't know what the fuck I did but...

█: To the left.

DIAZ: Can I use the restroom?

█: After *** do what we gotta do.

DIAZ: Alright ***

█: Stand on the red line against the wall.

*** (UNINTELLIGIBLE AUDIO)

█: Spread your feet. Chapstick.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By: *Ston Berry*

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: Chapstick. On me. More money.

█: ***

DIAZ: *** I gotta take a piss. Can you use the restroom, please?

█: You'll be able to use it after I set you up and do what I got to do, alright?

DIAZ: Alright, alright please.

█: Thank you.

DIAZ: More money. How much you make a year, bro? For reals, like 65,000?

█: With overtime.

DIAZ: With overtime? Damn, that's pretty fucked up...

█: That's my 10 year salary, bro.

DIAZ: For real?

█: Yeah.

DIAZ: I'm just kidding, bro. Damn, 65,000. God damn. And you gotta wear, nah, you guys ***. I just don't know what I did to get fuck, fucking locked up right now but it's all good. *** right here. I didn't do anything. I'll go to court for this shit. I gotta take a piss.

█: Alright.

DIAZ: Come on. Let me take a piss, bro.

█: Okay, hold on.

*** (UNINTELLIGIBLE AUDIO)

█: I don't know what you have on you, right?

DIAZ: No ***

█: Okay, I've never met you before.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: *** that's true.

[REDACTED]: I don't know if you have any deadly weapons, okay?

DIAZ: That's true.

[REDACTED]: ***

DIAZ: I'm not Asian, though. So take it easy.

[REDACTED]: *** okay?

DIAZ: Can I fucking take a piss, bro? Bro, can I take a piss?

[REDACTED]: Let me count your money in front of you first.

DIAZ: Alright, it's like a 100 bucks.

[REDACTED]: Okay.

DIAZ: 'Cuz the Red was fucking on my credit card.

[REDACTED]: Okay. 50, 100, 20, and 6...

DIAZ: Come on, I gotta take a piss.

[REDACTED]: ...126, okay?

DIAZ: And my, and my fucking card.

[REDACTED]: There's no cash value to your card so I don't count that. 126.

DIAZ: Bro, let me take a piss.

[REDACTED]: Okay, let me take off the cuffs. Relax dude.

DIAZ: I'm a drunk in public.

[REDACTED]: I know you are, I know.

DIAZ: Well let me fucking take a piss.

[REDACTED]: Put your hand on your head.

DIAZ: Alright.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

██████: Okay, put your hands behind your back, walk out the door and make a right. *** elevator.

DIAZ: ***

██████: *** hands behind your back, hands behind your back.

DIAZ: Right here?

██████: ***

DIAZ: ***

██████: Hands behind your back. Face the wall. Face the wall.

DIAZ: *** I should take a piss right here, bro.

██████: I would clean it with your shirt.

DIAZ: You will?

██████: Yup.

DIAZ: *** How about if I, you clean it with your shirt, bro. Nah, I'm just talking shit, bro. I got a big mouth, bro.

██████: I know you do. Walk out there.

DIAZ: Okay.

██████: Make a right. Hands behind your back. Follow the blue line.

DIAZ: *** bro. Can I take a piss? ***

██████: You're gonna make a right and go pee in here.

DIAZ: Right here?

██████: Yup.

DIAZ: Alright, alright.

(PAUSES)

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: I had really, I really to go bro.

(PAUSES)

█: Hands behind your back.

DIAZ: Alright.

█ Follow the blue line back to that elevator.

DIAZ: Bro, how much, how much you make a year, bro?

█: ***

DIAZ: Is this really worth your time?

█ Turn to the left.

DIAZ: It is good money, right? Bro, I'm just trying to go home, bro.

█: You would've gone home, right?

DIAZ: Hey, I don't know what I did, bro. I don't know what I did, bro.

█: ***

DIAZ: But I'm not gonna argue with you, bro, 'cause it's a losing argument.

█ You've been arguing with me since we got in the car. Actually, since before we got in the car, right?

DIAZ: I make too much money to be locked up for drunk in public. It's all good, bro. You guys have no idea. I just want to know where my little brother's at, bro. You guys are just...

█: Turn around and walk off the elevator, make a right, hands behind your back. Walking. Make a left back into the same room.

DIAZ: Here?

█: ***

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

DIAZ: Right here?

[REDACTED]: Right here. ***

DIAZ: 80,000 a year, bro? I ain't doing it, Flip.

[REDACTED]: Lift up your shirt to your arm pit. Stand up. Lift up your shirt to your arm pit.

DIAZ: Fuck, I'm fat.

[REDACTED]: I didn't say that.

DIAZ: I, I'm not fit like you, bro, with a six pack.

[REDACTED]: I didn't say that. You said that, not me.

DIAZ: Hey, why don't you lift up your fucking shirt, bro?

[REDACTED]: Other one. Sit down, take off your socks and shoes. Peel them off, don't snap them.

DIAZ: Hey honestly, no game, bro. You got no game.

[REDACTED]: Pick it up and hand it to me.

DIAZ: Huh?

[REDACTED]: Pick it up and hand it to me.

DIAZ: Sick, are they sick or ***

[REDACTED]: Peel off your socks inside out and put 'em on the floor ***

DIAZ: Are they sick or no? Those shoes, or nah?

[REDACTED]: ***

DIAZ: You would wear 'em ***

[REDACTED]: Not really.

DIAZ: Come on, bro, you're Vietnamese, bro, they're fucking Vietnamese shoes

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

██████: Put it on the floor in front of you.

DIAZ: *** skater shoes, bro.

██████: Show me the bottom of your feet. Other way. Peel off your sock.

DIAZ: Games right here.

██████: Put your sock on the floor.

DIAZ: This is where my tax money goes?

██████: Actually you don't pay my taxes.

DIAZ: ***

██████: Pick it up. Hand it to me.

DIAZ: ***

██████: Right there, the bottom of your foot. Sit down. Lift your pant leg all the way up to your kneecaps. Pull your pant leg all the way up to your knee caps. Pull your pant legs all the way up to your kneecaps.

DIAZ: Right here, like this?

██████: Okay, pull your pant leg all the way up to your kneecaps.

DIAZ: Okay. Like this? I don't know, bro.

██████: Pull your pants, right?

DIAZ: Alright...oh like this?

██████: Yeah.

DIAZ: Oh shit.

██████: Yeah.

DIAZ: But I don't speak Vietnamese.

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stam Berry

Date of Report: 08/09/2016

Date: 08/18/2016

█: Okay, well neither do I. Other one.

DIAZ: Look bro, too many games.

█: I understand, bro.

DIAZ: Can I put the socks on?

█: Yep.

*** (UNINTELLIGIBLE AUDIO)

[END OF INTERVIEW]

TRANSCRIBED BY: STEVEN ALVARADO
ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
07-13-2016

REVISED BY: David Melnyk / DA Investigator
(NAME) / (TITLE)
Orange County District Attorney's Office / 08-09-16
(DEPARTMENT) / (DATE)

Investigator: D. MELNYK #250

David F. Melnyk

Approved By: *Stan Berry*

Date of Report: 08/09/2016

Date: 08/18/2016